

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

UNITED STATES OF AMERICA

CRIMINAL ACTION

VERSUS

NUMBER: 1:15-CR-55-1

RONALD NEWHAUSER

**MOTION TO REOPEN
AND AMEND TERMS OF RELEASE**

NOW COMES, Ronald Newhauser, Defendant herein, through undersigned counsel, who respectfully submits:

Defendant was before this Honorable Court on March 24 and 25, 2015 regarding detention. It was then ordered that Defendant be released to BTC a half way house pending trial. The waiting list at BTC are long and there are no internal triage of bed use in place. During that wait time defendant was relocated to the Pierce County Heart of American Correction and Treatment Center in Rugby, North Dakota.

During the pendency of the above the court was advised that an extraditable warrant/attachment had been issued from Wyoming on open charges for which defendant had reached a resolution of, but was unable to attend the court hearing thereon due to being in custody regarding the instant offense.

Only July 15, 2015, defendant was able to resolve the open charge and the extraditable warrant by an plea in abstention and a withdrawing of the warrant/attachment. A copy of which is made exhibit hereto – Exhibit A.

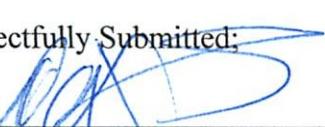
Defendant ask this court to again reopen and revisit his release and to

amend the terms of his conditional release, by releasing him to his mother with supervision.

- 1) Defendant had been offered a seasonal job with Advanced Concrete & Landscaping (701) 224-8837& (701) 220-6451. The owner/operator was aware of Defendant's situation and supervision, but is in need of his services and would assist Defendant in complying with his terms of supervision. If this position is no longer available Defendant through his family have been working on and are believed to have other viable and legitimate employment opportunities;
- 2) Defendant's step-father (who has been his surrogate father) is facing terminal illness, can no longer work and needs at home care during his limited period of remaining life;
- 3) Defendant's mother had recently been diagnosed with serious medical issues;
- 4) Defendant had access to SSI benefits (payments and services) when not in custody and those benefits would be of great benefit to him and his family at this time;
- 5) Defendant has attempted to assist counsel with his case and can continue to do so upon release from custody, avoiding the necessity of travel for counsel to/from Rugby, ND.
- 6) Defendant's mother continues to have a place for him to reside and assist with the care of his step father and produce a source of income during these times of family hardship; and
- 7) Further issues which are not addressed herein.

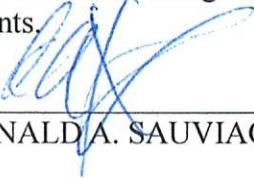
WHEREFORE, for the foregoing reasons, Defendant Ronald Newhauser request that the Court reopen and amend the terms of his release allowing him to go to his mother's residence, pursue employment and receive SSI benefits and services that are much needed.

Respectfully Submitted:


DONALD A. SAUVIAC, JR. LBRN#21071
P. O. Box 1204
Mandan, ND 58554
Telephone: (504) 214-9369

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of July 2015, the above and foregoing document was filed electronically with e Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to AUSA M. Mahoney copy of the foregoing motion has been served on counsel for the United States. I further certify that a copy of the above and foregoing document will be mailed by first class mail, postage paid, to non-ECF participants.



DONALD A. SAUVIAC, JR.